

COURTROOM MINUTE SHEET

DATE 11-8-2021

CIVIL NO. CIV-21-1000 -F

Bigler Jobe Stouffer -vs- Scott Crow, et al.

COMMENCED 4:55 ENDED 5:25 TOTAL TIME 30 min.

PROCEEDINGS Status conference

JUDGE STEPHEN P. FRIOT DEPUTY LORI GRAY REPORTER TRACY THOMPSON

PLF COUNSEL Gregory Laird, Stephen Rafferty

DFT COUNSEL Mithun Mansinghani, Bryan Cleveland

The court holds a status conference with counsel.

The court addresses plaintiff's request for a relaxed standard with respect to the request for preliminary injunction. The court advises that plaintiff will be required to establish a significant likelihood of success on the merits. The court inquires of plaintiff's counsel as to whether they are ready to proceed with an evidentiary hearing on that basis. Plaintiff's counsel initially advises that plaintiff is not prepared to proceed on that basis.

If the State were to agree to adopt the record made in the Glossip case on October 25, 2021, the court inquires of plaintiff's counsel as to what other evidence plaintiff would need to present. Plaintiff's counsel advises that he would want to call witnesses who observed the recent Grant execution. Plaintiff's counsel would also want to call an expert with respect to the use of midazolam.

Counsel for the defendants advises the court that the defendants would be opposed to the court taking judicial notice of the evidence entered in the October 25 hearing in the Glossip case.

The court discusses the scheduling of a hearing with counsel for both sides.

Plaintiff's Request for Emergency Hearing (doc. no. 10) is **GRANTED** to the extent that a hearing on Plaintiff's Motion for Stay of Execution (doc. no. 6) is set for November 22, 2021, at 5:00 p.m.

Plaintiff's witness and exhibit lists due November 12. Defendants' witness and exhibit lists due November 18. The witness lists shall include a concise summary of the witnesses' proposed testimony.

Plaintiff is permitted to supplement his motion for preliminary injunction not later than November 12. Defendants' response to the motion and supplement shall be filed not later than November 18.